

May 14, 2019

**CITY OF GUNNISON COUNCIL
REGULAR SESSION MEETING MINUTES**

5:30 P.M.

The City Council Regular Session meeting was called to order at 5:30 P.M. by Mayor Jim Gelwicks with Councilors Mallory Logan, Jim Miles, Bob Drexel, Leia Morrison present along with City Attorney Kathy Fogo, City Manager Russ Forrest, Finance Director Ben Cowan, and City Clerk Erica Boucher. Additional City staff present were Public Works Director David Gardner, City Engineer Cody Tusing, Electric Superintendent Will Dowis, Community Development Director Anton Sinkewich, Parks and Recreation Director Dan Ampietro, and Police Chief Keith Robinson. Applicants for the Planning and Zoning Commission and the Zoning Board of Adjustment and Appeals were present. Representatives from KBUT Community Radio, Barker Rinker Seacat and Infrastructure Management Services (IMS) were there along with a handful of interested citizens and individuals who were scheduled on the agenda to speak in the evening. The press was present. A quorum was present.

Citizen Input:

Gunnison County Commissioner John Messner came before Council to give an update. Commissioner Messner stated that Gunnison County Commissioners intend to come to Council on a regular basis to give updates on what the County is working on and to be available to answer questions. First, he informed Council that the West Elk Mine will be moving forward with capturing methane and mitigation project on the North Fork. Second, he informed Council that the State legislature passed affordable housing bills that over the next three years could generate \$165 million dollars to be used on affordable housing projects. Gunnison County was a part of the stakeholder group to create the rules for the bills and will participate in working groups to distribute the funds. Additionally, Gunnison County worked on a de-brucing bill, climate bill, and over the next 12 months will be working on the rule-making for the implementation of SB-181, the oil and gas legislation. Third, the County is finishing up their strategic plan. Fourth, he noted that they have been working with the National Forest Foundation to allocate \$90,000 on four sustainable tourism projects. They are providing partial funding for a bathroom on top of Cottonwood Pass, finishing the trailhead at West Maroon, messaging for the Conversation Core and contributing to wetlands and habitat restoration projects. Lastly, he informed Council that Cottonwood Pass is intended to be completed this summer.

Steve Schechter thanked Council for being a responsible and responsive government by addressing the City's net metering policy by allowing larger systems in the City and going to an annual true-up, but there is more to be done. He suggested that the City look into supporting electric transportation by encouraging hotels install more level two chargers and possibly level three chargers for their cars. He mentioned that the City also needs to examine the housing stock and encourage sustainable building practices on new housing projects. He wants Council to keep working on these projects.

Ellen Ross, a recent Western MEM graduate, approached Council to state her appreciation for Council addressing the City's net metering policy. She expressed support for fostering policies that support renewable energy generation and diverse industries.

Pre-scheduled Citizen: Executive Director of KBUT Community Radio Toni Todd and Development Director Tyler Lucas came before Council to remind them that the purpose of KBUT Community Radio is to serve the whole community. Executive Director Todd highlighted that KBUT now has a daily newscast of local and regional information. KBUT is also live the majority of the time. They also do public affairs programming, such as West Elk Word, which keeps information flowing and the public informed on the latest happenings and projects in the community. KBUT is the only news organization in the valley equipped to do "Breaking News" as they are connected to the County and City emergency systems. Being on the radio, KBUT has the ability to get out accurate information faster than any other communication outlet. Tyler Lucas also shared that KBUT fosters civic discourse and engagement which is great benefit for small, rural communities. KBUT's frequency in Gunnison 88.7. They thanked Council for their time and appreciation of their partnership.

Council Action Items:

Consent Agenda: Councilor Logan moved to approve the Consent Agenda which included approval of the April 23, 2019 Regular Session meeting minutes as submitted and excusing Councilor Morrison from the April 23, 2019 Regular Session minutes. Councilor Miles seconded the motion.

Roll call, yes: Logan, Miles, Gelwicks and Drexel. So carried.

Roll call, no: None.

Roll call, abstain: Morrison.

Resolution No. 5, Series 2019, First Reading: *A Resolution of the City Council of the City of Gunnison, Colorado, commending Max Oldham for his year of outstanding service as the Student Liaison on the Gunnison City Council, representing Western Colorado University from May 15, 2018 to April 23, 2019.* Councilor Drexel introduced Resolution No. 5, Series 2019 and asked that it be read by the City Attorney by title only and be read in full by Councilor Morrison. The City Attorney read Resolution No. 5, Series 2019 by title only. Councilor Morrison read Resolution No. 5, Series 2019.

Councilor Morrison moved to approve Resolution No. 5, Series 2019. Councilor Logan seconded the motion.

Roll call, yes: Logan, Miles, Gelwicks, Drexel and Morrison. So carried.

Roll call, no: None.

Council took a few photos with Max Oldham and thanked him for his service. Mr. Oldham's mother thanked Council for their support and mentoring of her son. She expressed her pride in her son and what he has done in the community.

Ordinance No. 7, Series 2019; First Reading: *An ordinance of the City Council of the City of Gunnison, Colorado, amending the photovoltaic and wind service program contained in Section 12.40.040 for the Gunnison Municipal Code, and adopting standards for large generation systems in Section 12.40.050 of the Gunnison Municipal Code, and establishing a rate for the electricity consumed and generated.*

Councilor Logan introduced Ordinance No. 7, Series 2019 asked that it be read aloud by the City Attorney by title only. The City Attorney read Ordinance No. 7, Series 2019 aloud by title only. Councilor Logan moved for adoption of Ordinance No. 7, Series 2019 on first reading. Councilor Morrison seconded the motion.

Councilor Drexel supported having a brochure on net metering be available for consumers. Mayor Gelwicks stated that he hopes the information will stimulate some interest from businesses and home owners in solar energy.

Roll call; yes: Gelwicks, Drexel, Morrison, Logan and Miles. So carried.

Roll call; no: None.

Appoint members to the Planning and Zoning Commission. Three seats were open on the Planning and Zoning Commission because one commissioner's five-year term expired and two commissioners resigned this spring, Theresa Hancek and Ryan Taylor. The three candidates were Erich Ferchau, Darin Higgins and Jeffrey Taylor. Each submitted a letter of interest to Council. The mayor asked for the two present applicants, Darin Higgins and Jeffrey Taylor, to come before Council and explain their interest in serving on the Planning and Zoning Commission. Darin Higgins applied to the Commission because as a former planner felt that he could serve the community well and could do the City Council with their vision through his involvement. Jeffrey Taylor applied to be on the Planning and Zoning Commission because he has a lot of interest in planning and as a member of the Crested Butte Creative District and a board member of the Gunnison Arts Center has had a lot of conversations about how to increase the potential of Gunnison. His discussions regularly circled back to housing and how to improve our urban footprint within current the City limits. Mr. Taylor believes examining the City's current regulations would result in better use and functionality of the town's facilities. Council also received a letter of interest from Erich Ferchau who is serving on the Commission until his term expires in May 2019.

Councilor Drexel moved to appoint Erich Ferchau to finish out the term which expires May 2021, Darin Higgins to fulfill the five-year term which expires May 2024, and Jeffrey Taylor to complete the term which expires May 2023. Councilor Morrison seconded the motion.

Roll call; yes: Drexel, Morrison, Logan, Miles and Gelwicks. So carried.

Roll call; no: None.

Appoint a member to the Zoning Board of Adjustments and Appeals. One seat was open on the Zoning Board of Adjustments and Appeals. Sharon Cave reapplied to fulfill the position. Mrs. Cave explained to Council that she has enjoyed participating on the Board and likes to have the opportunity serve and to give back to the community.

Councilor Logan moved to appoint Sharon Cave to the Zoning Board of Adjustments and Appeals. Councilor Miles seconded the motion.

Roll call; yes: Morrison, Logan, Miles, Gelwicks and Drexel. So carried.

Roll call; no: None.

Appoint a member to the Gunnison Valley Regional Housing Authority. There was one vacancy available on the GVRHA board to replace resigned board member, Ellen Harriman, as the City of Gunnison representative. Two people applied for the seat. They were Wendi Birchler and Shaun Matuszewicz. Wendi Birchler submitted a letter of interest and Shaun Matuszewicz, also submitted a letter, called into Council and explained his desire to be a part of the GVRHA board. As a long-time resident and business owner in the community, Mr. Matuszewicz felt his participation on the GVRHA board would be a great way to serve the community. He stated that he believes affordable housing is a critical issue facing the community and as a former Crested Butte Town Council member and informed citizen feels he could contribute to the discussion on housing.

Councilor Logan moved to appoint Shaun Matuszewicz to the Gunnison Valley Regional Housing Authority as the City of Gunnison representative. Councilor Drexel seconded the motion. Mayor Gelwicks stated his support for Ms. Birchler.

Roll call; yes: Logan, Miles, Drexel and Morrison. Motion carried.

Roll call; no: Gelwicks.

404 West Rio Grande Avenue Restrictive Covenants Permission Letter. Community Development Director Anton Sinkewich approached Council to provide background on 404 West Rio Grande Avenue. He stated that on March 29, 2019, the Community Development Department received a letter requesting permission to subdivide and sell a property at 404 West Rio Grande Avenue. Larry Sunderlin and Sharon A. Sunderlin Children's Trust are intending to sell a property consisting of Lots 15-22, Block 3, Rio Grande Addition together with the half of vacated Spruce Street located north of the northerly boundary of Rio Grande Avenue and contiguous with the above described property. During the title search it was discovered by Gunnison County Abstract Company that when the City vacated Spruce Street, a restrictive covenant agreement was put in place on July 11, 1990, that required the owners to obtain the express written consent from the City to subdivide the property. The Vacation of ROW of Spruce Street and the Alley between Spruce and Pine dated July 10, 1990 reserves utility easements that shall not be altered or amended, and no portion of Pine Street is vacated or associated with the covenant. Director Sinkewich noted that the map included in Council's packet shows Pine Street which was not vacated.

AJ Mani of Gunnison Real Estate and Rentals, serving as the real estate agent for Larry Sunderlin and the Trust, Dillon Waggoner of Gunnison County Abstract Company, and Larry Sunderlin approached Council.

Mayor Gelwicks, who was serving on Council in 1990, spoke about two key issues for this property. One was that both the seller and buyer acknowledge and agree on the fact that there is a utility agreement which runs through the property and that the easements for the utilities are reserved by the City and shall not be affected. Two, that the 1990 map which residents often refer to when discussing this property, shows Pine Street to be vacated but it was not vacated on the western side.

A draft of the letter granting permission for Larry Sunderlin and Sharon A. Sunderlin Grandchildren's Trust to subdivide and sell the property was included in Council's packet which included that statement that "The easements for utilities reserved by the City in both the Restrictive Covenant and Ordinance No. 2, Series 1990 are not affected by this consent, and shall remain for the benefit of the City;" however, the letter did include a refer to the map, which was not necessary for this request, but important to note for the record.

Mr. Mani noted that having clarity on the issue of the utility easements and permission from the City to subdivide and sell the property in the letter will help move the sale of the property forward.

Councilor Morrison moved to authorize the Mayor to sign a letter permitting the subdivision and sale of property consisting of: Lots 15-22, Block 3, Rio Grande Addition together with the west half of vacated Spruce Street located north of the northerly boundary of Rio Grande Avenue and contiguous with the above described property. Councilor Drexel seconded the motion.

Roll call; yes: Miles, Gelwicks, Drexel, Morrison and Logan. So carried.

Roll call; no: None.

Parks and Recreation Survey Results. John Barnholdt and Craig Bouck of Barker Rinker Seacat approached Council along with Parks and Rec Director Dan Ampietro to present the results of the Barker Rinker Parks and Rec survey conducted in March 2019. 679 surveys were received. Barker Rinker gave a presentation highlighting the survey results. In Barker Rinker's presentation they reviewed what the City had accomplished based on priorities determined in the *2015 Parks and Recreation Master Plan*. They summarized the costs of maintaining the Community Center facility. They reviewed the results of the focus group meetings they conducted with the Parks and Rec Advisory Committee, Boomers and Beyond, Western, and private fitness providers. Primary conclusions from the focus groups were that the City should focus on maintaining the current facility, that the Community Center should be a safe facility for seniors to work-out in and be an affordable place for families, especially those with young children, to engage in programming and fitness.

Multiple focus groups determined that the Community Center is best poised to fulfill the needs of active community members with kids because Western's Field House and private providers do not have the capacity to accommodate small children.

Barker Rinker summarized the survey results. The largest number of respondents were from people between the ages of 31-50 years old with children under the age of 18. Next was those between the ages of 51 to 65 years old. The top five indoor/outdoor priorities as concluded by the survey were walking/biking trails, a weight/cardio area, walk/jog track, Cranor Ski Hill improvements, and a hot tub. Respondents also expressed a desire for fitness and wellness programs for all ages. Respondents would also like to see trail connectivity throughout the City and to public lands. Next steps will be to develop a long-range financial strategic plan for the Community Center, to streamline the City's focus on trails, and to have a strategic discussion about whether or not voters should be asked to assist with funding for the Community Center through taxes in some fashion. General discussion occurred about better signage for city trails and to city recreation amenities, how to offer dog-friendly and dog-free trails, keeping a family-focus at the Community Center, and the incorporation of trails and connectivity in the Comprehensive Plan. Council thanked Barker Rinker for their work and presentation.

Council took a break at 7:10 p.m. and returned at 7:22 p.m.

IMS Pavement Management Analysis Report. Public Works Director David Gardner, City Engineer Cody Tusing, and Zach Thomason of Infrastructure Management Services (IMS) approached Council. Public Works hired IMS to conduct a scientific and systematic approach to assessing the streets to fully understand the condition of the streets in order to development a strategic management plan for them. Mr. Thomason discussed how the 34.8 miles of Gunnison's roadways are the City's single largest asset valued at \$2 million dollars/mile or \$76.7 million dollars in total. Mr. Thomason introduced the concept of a pavement management system which is a set of tools or methods used to assist decision makers in finding the best ways for maintaining roads to be in a serviceable condition over a given period of time. A good pavement management system balances the City's infrastructure objectives and budget along with understanding the conditions of the roads along with making priorities for maintenance or repair and using technology to accurately assess the conditions of the streets.

IMS uses a Pavement Conditions Index (PCI) to evaluate road conditions. Streets with a 0-25 PCI are in very poor condition and need full reconstruction. Streets with a 25-50 PCI are in poor condition and need partial reconstruction. Streets with a 50-60 PCI are in marginal condition. Streets with a 60-70 PCI are in good condition. Streets with a 70-85 PCI are in very good condition and just need surface treatments, like crack sealing, and streets with an 85-100 PCI streets are in excellent condition and just need routine maintenance. He gave specific examples of Gunnison streets for each PCI category. Overall, Gunnison's streets were given a 62 PCI and determination that 4.3% of the streets are back-logged for repair. A city's goal, according to IMS, should have a back-log of streets needing reconstruction to be less than 12% of its overall inventory and a PCI rating of 66 or greater. Mr. Thomason suggested that back-log streets that need reconstruction should be given attention because once the streets have a low PCI or become back-logged for maintenance the costs of fixing the streets grows immensely.

Discussion occurred about how materials costs, such as asphalt and concrete, in Gunnison are much higher than state and national average costs. For example, to fix a mile section of street in the Front Range costs approximately \$16,000. To fix a mile of street in Gunnison costs approximately \$37,000. The high costs of materials factors into the costs of street maintenance along with the reality that Gunnison has wide streets.

Discussion also occurred about the long-term estimated costs of funding street maintenance and repairs.

In the end, IMS noted that the City's planned budget of \$1.04M annually will result in a PCI of 62 and a backlog of 24% over the next five years. Mr. Thomason recommended an annual budget of \$1.75M annually to have a PCI of 74 and only 10% backlog of roads needing reconstruction. He also suggested reviewing rehabilitation strategies on an annual basis and do steady, effective rehabilitation on an annual basis. The City should complete a street inventory every few years.

Councilor Logan asked if the inventory included alleys. It did not and Director Gardner acknowledged the poor condition of the alleys. Public Works will be making an effort to address a few alleys every year. Council thanked Mr. Thomason for his presentation.

US 50 Pedestrian Safety Crossing Project. Public Works Director Gardner came before Council and informed them that on the third attempt the City received bids within budget range for the US 50 Pedestrian Safety Crossing Project to move forward. The low bid came from Western Gravel Constructors at \$535,657.00. The City estimated the cost of this project at \$476,346.00. To make up the difference between the estimated cost and the low bid amount, Public Works will allocate

\$140,000 from the Streets budget to afford the US 50 Pedestrian Safety Crossing project. If Council awarded Western Gravel Constructors the contract then Public Works can proceed with issuing contracts and bonds, as the City has already received approval from CDOT. Scheduling of this project is determined by the contractor, but Public Works had asked the contractor to avoid working during July 4th and Cattlemen’s Days. The contractor may try to do work at Legion Park and at 11th Street at the same time to assist with traffic control and to complete the project in a shorter time frame.

Councilor Morrison moved to award the US 50 Pedestrian Safety Crossing Project to the low bidder, Western Gravel Constructors in the amount of \$535,657.00. Councilor Drexel seconded the motion.

Roll call; yes: Gelwicks, Drexel, Morrison, Logan and Miles. So carried

Roll call; no: None.

Councilor Morrison moved to give authority to the City Manager to execute any and all documents to initiate an anticipated start date of June 3rd, 2019. Councilor Drexel seconded the motion.

Roll call; yes: Drexel, Morrison, Logan, Miles and Gelwicks. So carried.

Roll call; no: None.

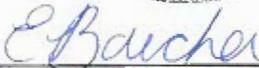
Bicycle Dismount Signage. Police Chief Keith Robinson approached Council to complete the discussion about bicycle dismount signs that was started in September 2018. It was decided to not make any changes to the current ordinance and to continue with the enforcement that has been in place.

The Model Traffic Code states that bicycles can be on sidewalks unless specifically prohibited; therefore, it was suggested that the new signs include the word “prohibited” and that signs are placed in the specific areas where riding bikes on sidewalks is prohibited. Because bikers do not always look up for signs, it would be helpful to place signs on the sidewalks as well. A discussion occurred about the required colors of red and black, the size of the signs and the location of the signs on the pavement and light posts. The signs on the light posts would be 12” by 18”. Council recommended not including the roller blader on the signs, which would allow for images prohibiting riding bikes and skateboards on the sidewalks to be larger. Mayor Gelwicks suggested an educational brochure be created and distributed to Western students in the fall. The signs on the sidewalks will be in the business district and included on surrounding blocks. Council gave direction to Chief Robinson to proceed with the bicycle dismount signs.

Public Works Semi-Annual Report. Public Works Director addressed Council and gave his semi-annual report. In his report, Director Gardner highlighted the main accomplishments and projects over the last six months. He also briefly outlined the departments up-coming projects for the summer and mentioned recent personnel adjustments. Council thanked Director Gardner and his department for all of the work they have successfully performed over the last half year.

City staff and Council gave reports.

With no further business, Mayor Gelwicks adjourned the Regular Session meeting at 9:10 p.m.

Attest

Erica Boucher, City Clerk




Jim Gelwicks, Mayor